



TECHNOLOGY COMMITTEE  
BREAKOUT SESSION AGENDA  
JANUARY 29, 2016  
UNC SCHOOL OF GOVERNMENT, ROOM 2401  
CHAPEL HILL, NC

- I. **Welcome & Approval of Minutes from December Meeting**  
Justice Barbara Jackson, Committee Chair
- II. **Discussion on Professor David Ammons' Presentation on Performance Measurement in the Courts**  
Paul Embley, Reporter
- III. **Update on the RFP for the eCourts Strategic Plan**  
Jon Williams, Senior Deputy Director, N.C. Administrative Office of the Courts
- IV. **Visioning Discussion on Future Plans**  
Paul Embley, Reporter
- V. **Next Steps**
- VI. **Adjourn**



## Technology Committee Minutes

**Date:** January 29, 2016

**Time:** 1:30 p.m. – 3:30 p.m. (Breakout Session)

**Location:** UNC School of Government, Chapel Hill, N.C.

### Attendees

**Committee Members:** Justice Barbara Jackson, Judge Susan Burch, Judge William “Mac” Cameron, Susan Frye, Jennifer Harjo, Jason Hensley, Dean J. Rich Leonard, James J. MacCallum, Chief Judge Linda McGee, Carolyn Timmons

**Presenters:** Jon Williams

**Reporters:** Paul Embley, Kurt Stephenson

**Guests:** Chief Justice Bill Boyum (Eastern Band of Cherokee Supreme Court), Elizabeth Croom, David Johnson, Tom Maleck, James Mallory, Jeff Marecic, Representative Sarah Stevens, Mike Wilson

### Administrative Matters

A motion was made and approved to adopt the minutes from the December 18th Technology Committee meeting, as drafted and distributed.

### Discussion Topics

**Discussion on Professor David Ammons’ Presentation on Performance Measurement in the Courts – Paul Embley, Moderator**

During the discussion, members explored the “Suggestions Offered to the Commission” that David Ammons identified in his presentation to the full Commission. In particular, members discussed Item 2, “Consider the adequacy of current and prescribed metrics.” and Item 5. “Consider the adequacy of the system by which measures are collected, compiled, and distributed.” A summary of the discussion follows.

The general consensus of court officials in attendance seemed to be that the information which is currently available is a product of the existing case indexing systems used to capture data. Much of the information is focused on measuring event occurrence rather than case outcomes. For example, we know the number of filings for many case types is down from recent years while the median days to disposition has increased, but we don't have data to determine what this means for participants. Even when jurisdictions try to implement new strategies for process improvement the limitations in data make it difficult to determine if changes in process or practice are actually improving outcomes. It was acknowledged that measuring the accuracy and fairness of outcomes may be challenging, however one of the CourtTools measures is "access and fairness" which could provide some guidance. Another possible avenue might be to look for correlative data of appellate cases and examine their path from the trial courts. One case type mentioned was Termination of Parental Rights and the general rarity of *Anders* briefs.

There was discussion of the interplay between money and the courts. As fines and fees have risen it is increasingly important to have a reliable system to track finances within a case. This is consistent with one of the CourtTools suggested measures, "the collection of monetary penalties." This type of integration could pave the way for more convenient public payment options, and the data could provide opportunities for advanced analytics; such as the number of case continuances that are related to an inability to pay. This knowledge might be the impetus to examine the procedures for handling certain case types. The cost evaluation of resources expended by case type might also be a metric to consider in the future, and this is consistent with another CourtTools measure, "cost per case."

It was also suggested that it might be helpful to look at different measures of time that extend beyond the CourtTools recommendations of "time to disposition," "trial date certainty," "age of pending caseload," and "clearance rates." There may be opportunities to examine the time used for calendaring, attorney or other parties' wait-times, number of continuances, etc. However, it was mentioned that manual time collection can have inconsistencies if multiple people are measuring. Any data collected should adhere to a mutually agreed upon standard and it must be accurate. It was also noted that collecting time for one task may not provide an accurate picture of other work performed and how one task is impacted by the other.

As the group looked to the future integrated case management system, the possibilities for the collection of data were noted. A system that is designed in a way to meet the needs of everyone will increase the likelihood of usage and therefore more information will be collected. A few items that are not currently captured or utilized but might be helpful in the future include; the number of self-represented litigants, usage of interpreters, and an automatic calendaring function that determines all interested participants availability. Through a new system, cases can become more than files but they also become data points. As the system collects data throughout the life of a case the information could be used to make a smooth case transition to the appellate courts and reduce attorney duplicative processes by hyperlinking to documents. Individual users could have the flexibility to determine how they use the collected data through a dashboard interface. Individual court performance measures may have a greater impact on changing behavior or local processes. The statewide system can also

determine what measures are important for the entire Judicial Branch. With more data, performance management can be enhanced. The UNC-Chapel Hill School of Government and the NCAOC could provide operational management training and promote additional cross-jurisdictional idea sharing.

**Update on the RFP for the eCourts Strategic Plan – *Jon Williams, Senior Deputy Director, North Carolina Administrative Office of the Courts***

The confidential vendor selection process is in the final stage to choose the consultant who will develop the eCourts Strategic Plan. A selection group met with finalists and a preferred vendor has been identified. The next phase of the process involves opening sealed bids and negotiating a contract for services. Based on the length of time for the remaining steps, it may be possible for the consultant to attend the February NCCALJ Technology Committee meeting.

**Visioning Discussion on Future Plans**

As the NCCALJ Technology Committee continues to serve as the advisory committee to ensure the development and implementation of a strategic plan for eCourts, it is anticipated that this work will guide the group's future meeting agendas and formal recommendations to the NCCALJ. One suggested strategy was to prepare an introductory narrative from the NCCALJ Technology Committee to accompany strategic plan recommendations.

It was also recommended that the strategic plan consultants determine an appropriate method for obtaining technology issues that may be raised by other NCCALJ committees.